

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>DAIGLE &amp; ASSOCIATES, ET AL.,</b>	)	
	)	
<b>PLAINTIFFS</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 1:17-cv-34-DBH</b>
	)	
<b>FARM FAMILY CASUALTY</b>	)	
<b>INSURANCE COMPANY,</b>	)	
	)	
<b>DEFENDANT</b>	)	

**ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On December 19, 2018, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision on Defendant's Motion for Summary Judgment. (ECF No. 51.) The time within which to file objections expired on January 2, 2019, and no objections have been filed. In his Recommended Decision, the Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal. (ECF No. 51 at 22.)

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendant's motion for summary judgment is **GRANTED IN PART**: Judgment is **ENTERED** for the defendant on Count I of the plaintiffs' Complaint. The plaintiffs' motion to dismiss Counts II and III of the Complaint is **GRANTED**.<sup>1</sup> The defendant's motion for summary judgment as to

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<sup>1</sup> In footnote 2, the Recommended Decision incorrectly refers to a stipulation of dismissal as to Counts V through VIII of the Complaint. The stipulation of dismissal covered Counts IV through VII.

Count II of the defendant's Counterclaim is **GRANTED** and **Denied** as to Count I of the defendant's Counterclaim.

**SO ORDERED.**

**DATED THIS 10<sup>TH</sup> DAY OF JANUARY, 2019**

/s/D. BROCK HORNBY

**D. BROCK HORNBY**

**UNITED STATES DISTRICT JUDGE**